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BOOK REVIEWS.

FRANCIS H. McADOO, *Editor-in-Charge.*

PRINCIPLES OF THE CONSTITUTIONAL LAW OF THE UNITED STATES. By WESTEL W. WILLOUGHBY. New York: BAKER, VOORHIS & Co. 1912. pp. 1, 576.

This hand-book is an abridgement of Professor Willoughby's two volume treatise already noticed in this Review. In scope and general method of treatment, it differs slightly from its forerunner. Condensation is secured without loss of essential values, mainly by the excision or paraphrasing of the extended quotations from judicial opinions contained in the larger work. The introductory chapters dealing with The Supremacy of the Constitution and with Principles of Constitutional Construction have been largely re-written and greatly improved. As a study of the federal system of government developed by the courts from the skeleton provisions of the Constitution, the work merits high commendation. Less adequate treatment is accorded to some topics of current political interest, such as the police powers of the states and the wide control over legislation exercised by the judiciary under the due-process clauses of the fifth and fourteenth amendments. The bestowal of this function upon the judiciary constitutes the peculiar contribution of America to the science of government. The author by adding in subsequent editions chapters dealing more fully with judicial interpretation and enforcement of the so-called rights of property and of personal liberty would augment materially the service already performed.

T. R. Powell.

HISTORICAL INTRODUCTION TO THE ROMAN LAW. By FREDERICK PARKER WALTON, LL. D., Professor of Roman Law and Dean of the Faculty, McGill University, Montreal. Second edition, revised and enlarged. Edinburgh and London: WILLIAM GREEN & SONS. 1912. pp. xvi, 391.

It is not surprising that Dean Walton's *Introduction to the Roman Law* should have attained the honor of a second edition. It is based on a careful study of the sources and displays acquaintance with much of the best modern literature, German and Italian as well as English and French. It gives, with few omissions that invite serious criticism, the historical information that the student most needs in order to read intelligently the *Institutes of Justinian*, and it gives this information in readable and attractive form.

The new edition is, as the author claims, almost a new work. The general plan of the book and the proportion of space allotted to different periods and subjects are in the main unexceptionable and in all respects defensible. The author's decision to devote nearly two-thirds of his book to the older law of the city (*jus civile*), in spite of the far greater importance of the universal Mediterranean law (*jus gentium*) which was developed in the later republican period and refined and perfected in the early imperial period, is justified by the fact that, in the usual scheme of instruction in civil-law countries,